

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEITH WILLIAMS	:	
Petitioner,	:	
	:	
v.	:	Civil No. 5:22-cv-01024-JMG
	:	
MICHAEL GOURLEY ¹ , <i>et al.</i> ,	:	
Respondents.	:	

ORDER

AND NOW, this 29th day of August, 2023, upon consideration of Petitioner's Petition for Writ of Habeas Corpus (ECF No. 1) filed pursuant to 28 U.S.C. § 2254, the responses and replies thereto, the Report and Recommendation of U.S. Magistrate Judge Lynne A. Sitarski (ECF No. 25), and Petitioner's Objections thereto (ECF No. 26), it is **HEREBY ORDERED** as follows:

1. The Report and Recommendation of Magistrate Judge Lynn A. Sitarski (ECF No. 25) is **APPROVED** and **ADOPTED**;
2. Petitioner's Petition for Writ of Habeas Corpus (ECF No. 1) filed pursuant to 28 U.S.C. § 2254 is **DENIED AND DISMISSED**;
3. **NO CERTIFICATE OF APPEALABILITY SHALL ISSUE** under 28 U.S.C. § 2253(c)(1)(A) because "the applicant has [not] made a substantial showing of the denial of a constitutional right[,"] under 28 U.S.C. § 2253(c)(2) since he has not demonstrated that "reasonable jurists" would find my "assessment of the constitutional claims debatable or wrong."

Slack v. McDaniel, 529 U.S. 473, 484 (2000); *see also United States v. Cepero*, 224 F.3d 256,

¹ Michael Gourley, the Superintendent of SCI Camp Hill, is substituted as the respondent in this case. *See* Rules Governing Section 2254 Cases, Rule 2 (requiring the current custodian to be named as respondent). *See* R&R at pg. 1 of 19 [ECF No. 25].

262–63 (3d Cir. 2000), abrogated on other grounds by *Gonzalez v. Thaler*, 565 U.S. 134 (2012).

4. The Clerk of Court shall mark this case **CLOSED**.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge